IN THE CLAIMS:

1. (ORIGINAL) A method of selecting an active base station for use during soft handover, the active base station being for receiving data from a source user equipment for onward transmission to a destination user equipment, the method comprising:

determining a measure of a quality of service from the base station to the destination user equipment; and

selecting the base station as an active base station based on the measure of the quality of service.

2. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1, further comprising ~~the steps of~~ determining a credit value based on the measure of the quality of service, and transmitting the credit value from the base station to the source user equipment.

3. (CURRENTLY AMENDED) ~~A~~ The method according to claim 2, wherein the source user equipment receives the credit value from the base station and selects a base station as an active base station based on the credit value.

4. (CURRENTLY AMENDED) ~~A~~ The method according to claim 3, wherein a credit value is determined for each of a plurality of source user equipments.

5. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1~~any of the preceding claims~~, wherein a plurality of different measures of the quality of service from the base station to a destination user equipment are determined.

6. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1~~any of the preceding claims~~, wherein at least one of the following measures of quality of service is determined:

(a) throughput ratio

(b) ratio of satisfied packets

(c) base station buffer occupancy.

7. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1~~any of the preceding claims~~, wherein a credit value is determined for each of a plurality of source user equipments by comparing measures of a quality of service from the base station to a plurality of destination user equipments.

8. (CURRENTLY AMENDED) ~~A~~ The method according to claim 7, wherein the credit value is based on at least one of the following relative measures:

(a) distance from average throughput

(b) distance from minimum throughput ratio

(c) distance from minimum quality of service

(d) distance from minimum buffer length

9. (CURRENTLY AMENDED) ~~A~~ The method according to claim 7 ~~or 8~~, wherein the credit value is based on a plurality of relative measures, and is a single value obtained by combining the relative measures.

10. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1 ~~any of the preceding claims~~ wherein a source user equipment receives credit values from the base station, and selects a base station as an active base station based on a history of the credit values.

11. (CURRENTLY AMENDED) ~~A~~ The method according to claim 10, wherein a source user equipment with an improving history of credit values from a base station selects that base station as an active base station.

12. (CURRENTLY AMENDED) ~~A~~ The method according to claim 11, wherein a source user equipment with a worsening history of credit values from a base station deselects that base station as an active base station.

13. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1 ~~any of the preceding claims~~, wherein a base station is selected as an active base station based additionally on a measure of radio channel conditions from a source user equipment to the base station.

14. (CURRENTLY AMENDED) ~~A~~ The method according to claim 13, wherein a base station is selected as an active base station based on a history of radio channel conditions.

15. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1 ~~any of the preceding claims~~, wherein the selecting ~~selection step~~ is carried out by a user equipment and the method further comprising ~~a step of~~ transmitting an indication of a selected base station from the user equipment to the base station.

16. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1 ~~any of the preceding claims~~, further comprising ~~the step of~~ scheduling uplink transmissions in dependence on the measure of a quality of service.

17. (CURRENTLY AMENDED) ~~A~~ The method according to claim 16, wherein a source user equipment receives a credit value based on the measure of a quality of service and determines a time and/or rate of packet transmission based on the credit value.

18. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1 ~~any of the preceding claims~~, the method being repeated periodically.

19. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1 ~~any of the preceding claims~~, wherein the base station transmits data to a destination user equipment in its downlink.

20. (CURRENTLY AMENDED) ~~A~~ The method according to claim 1 ~~any of the preceding claims~~, wherein the base station transmits data to a destination user equipment via a network.

21. (CURRENTLY AMENDED) A base station for receiving data packets in an uplink from a source user equipment for onward transmission to a destination user equipment, the base station comprising:

a ~~means for~~ determining unit which determines a measure of a quality of service from the base station to the destination user equipment;

a ~~means for~~ producing unit which produces a credit value based on the measure of the quality of service;

a ~~means for~~ transmitting unit which transmits the credit value to the source user equipment;

a ~~means for~~ receiving unit which receives from the source user equipment an indication of whether the base station has been selected as an active base station; and

an ~~means for~~ allocating unit which allocates a channel to the source user equipment if the base station has been selected as an active base station.

22. (CURRENTLY AMENDED) ~~A~~ The base station according to claim 21, wherein a credit value is determined for each of a plurality of source user equipments.

23. (CURRENTLY AMENDED) ~~A~~ The base station according to claim 21 ~~or 22~~, wherein the credit value is based on a plurality of different measures of the quality of service from the base station to a destination user equipment.

24. (CURRENTLY AMENDED) ~~A~~ The base station according to ~~any of~~ claims 21 ~~to 23~~, wherein a credit value is determined for each of a plurality of source user equipments by comparing measures of a quality of service from the base station to a plurality of destination user equipments.

25. (CURRENTLY AMENDED) ~~A~~ The base station according to ~~any of~~ claims 21 ~~to 24~~, wherein the credit value is based on a plurality of relative measures, and is a single value obtained by combining the relative measures.

26. (CURRENTLY AMENDED) A user equipment for transmitting data to a destination user equipment via one or more base stations using soft handover, the user equipment comprising:

a ~~means for~~ receiving unit which receives a credit value from a base station, the credit value being based on a measure of a quality of service from the base station to the destination user equipment; and

a ~~means for~~ selecting unit which selects a base station as an active base station based on the credit value.

27. (CURRENTLY AMENDED) ~~A~~ The user equipment according to claim 26, further comprising a ~~means for~~ storing unit which stores a history of credit values, and wherein the selecting unit ~~means~~ is arranged to select a base station as an active base station based on the history of credit values.

28. (CURRENTLY AMENDED) ~~A~~ The user equipment according to claim 26 ~~or 27~~, further comprising a ~~means for~~ determining unit which determines

a measure of radio channel conditions from the user equipment to the base station, and wherein the selecting ~~means~~ unit is arranged to select a base station as an active base station based additionally on the measure of radio channel conditions.

29. (CURRENTLY AMENDED) ~~A~~ The user equipment according to claim 26~~29~~, further comprising a ~~means for~~ storing unit which stores a history of radio channel conditions, and wherein the selecting unit ~~means~~ is arranged to select a base station as an active base station based on the history of radio channel conditions.

30. (CURRENTLY AMENDED) ~~A~~ The user equipment according to ~~any of~~ claims ~~26 to 29~~, further comprising a ~~means for~~ transmitting unit which transmits an indication of a selected base station.

31. (CURRENTLY AMENDED) ~~A~~ The user equipment according to ~~any of~~ claims ~~26 to 30~~, further comprising a ~~means for~~ scheduling unit which schedules uplink transmissions in dependence on the credit value.

32. (CANCELLED)

33. (NEW) A communications system comprising:

a base station for receiving data packets in an uplink from a source user equipment for onward transmission to a destination user equipment, the base station comprising:

a determining unit which determines a measure of a quality of service from the base station to the destination user equipment;

a producing unit which produces a credit value based on the measure of the quality of service;

a transmitting unit which transmits the credit value to the source user equipment;

a receiving unit which receives from the source user equipment an indication of whether the base station has been selected as an active base station; and

an allocating unit which allocates a channel to the source user equipment if the base station has been selected as an active base station; and

a user equipment for transmitting data to a destination user equipment via one or more base stations using soft handover, the user equipment comprising:

a receiving unit which receives said credit value from a base station, the credit value being based on a measure of a quality of service from the base station to the destination user equipment; and

a selecting unit which selects a base station as an active base station based on the credit value.